

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
CENTRAL DIVISION**

HUGH L. RILEY, Register No. 1104541,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 07-4027-CV-C-SOW
	)	
LARRY CRAWFORD, et al.,	)	
	)	
Defendants.	)	

**ORDER**

On October 23, 2007, United States Magistrate Judge William A. Knox recommended dismissing plaintiff's claims. The parties were advised they could file written exceptions to the recommendation, pursuant to 28 U.S.C. § 636(b)(1)(C). No exceptions have been filed.

A review of the record convinces the court that the recommendation of the Magistrate Judge is correct and should be adopted.

Inmates who file an appeal with the United States Court of Appeals for the Eighth Circuit are required to pay the full \$455.00 appellate filing fee, regardless of the outcome of the appeal. Henderson v. Norris, 129 F.3d 481, 484 (8th Cir. 1997). The filing of a notice of appeal is considered a consent by the inmate to allow prison officials to deduct an initial partial appellate filing fee and later installments from the prisoner's account.

IT IS, THEREFORE, ORDERED that the Report and Recommendation of October 23, 2007, is adopted. [18] It is further

ORDERED that plaintiff's claims are dismissed for failure to comply with court orders, pursuant to the provisions of Fed. R. Civ. P. 41(b). It is further

ORDERED that plaintiff's claims are dismissed for failure to exhaust his administrative remedies, pursuant to 42 U.S.C. § 1997(e). It is further

ORDERED that defendants' motion of July 2, 2007, is granted and plaintiff's claims against defendants Crawford, Dormire, Wood, Galloway, Reed, Williams and Lohmeyer are dismissed for the reasons set forth in the report and recommendation.

/s/Scott O. Wright

SCOTT O. WRIGHT

Senior United States District Judge

Dated: December 17, 2007